United Nations S/RES/1576 (2004)

Security Council

Distr.: General
29 November 2004

Resolution 1576 (2004)

Adopted by the Security Council at its 5090th meeting, on 29 November 2004

The Security Council,

Reaffirming resolution 1542 (2004) of 30 April 2004 and recalling resolution 1529 (2004) of 29 February 2004 and relevant statements by its President on the situation in Haiti,

Commending the work of the Special Representative of the Secretary-General (SRSG) in support of the efforts of the Transitional Government of Haiti and all political actors in Haiti towards a comprehensive and inclusive national dialogue and reconciliation process, including the holding of fair and free elections in 2005 and the subsequent transfer of power to elected authorities,

Underlining that political reconciliation and economic reconstruction efforts remain key to the stability and security of Haiti, and, in that regard, *stressing* that all Member States, especially those in the region, should continue to support the Transitional Government in those efforts,

Urging the Transitional Government to continue to make progress in the implementation of the Interim Cooperation Framework (ICF), including by developing concrete projects for economic development, in close cooperation with, and with the full assistance of, the international community, in particular the United Nations and international financial institutions,

Welcoming the establishment of the Core Group on Haiti and the ECOSOC Ad Hoc Advisory Group on Haiti,

Condemning all acts of violence and the attempts by some armed groups to perform unauthorized law enforcement functions in the country,

Stressing, in that context, the urgency of conducting Disarmament, Demobilization and Reintegration (DDR) programmes, and urging the Transitional Government to establish, without delay, the National Commission on DDR,

Condemning also all violations of human rights and urging the Transitional Government of Haiti to take all necessary measures to put an end to impunity,

04-62612 (E)

Concerned by any arbitrary detention of people solely for their political affiliation, *calling on* the Transitional Government to release those against whom no charges have been brought,

Calling also on the international community to continue to address, in full support of the Transitional Government, the humanitarian needs caused by natural disasters in various parts of the country,

Welcoming the contribution made by Member States to the United Nations Stabilization Mission in Haiti (MINUSTAH), and *urging* troop and police-contributing countries to abide by the deployment schedules agreed, and noting in particular the need for more French-speaking police officers,

Noting the continuing existence of challenges to the political, social and economic stability of Haiti and determining that the situation in Haiti continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations, as described in section 1 of operative paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of MINUSTAH, as contained in resolution 1542 (2004), until 1 June 2005, with the intention to renew for further periods;

2. *Encourages* the Transitional Government to continue to explore actively all possible ways to include in the democratic and electoral process those who currently remain outside the transition process but have rejected violence;

3. *Welcomes* the report of the Secretary-General of 18 November 2004 (S/2004/908) on the United Nations Stabilization Mission in Haiti (MINUSTAH) and endorses the Secretary-General's recommendations as outlined in paragraphs 52 to 57;

4. *Urges* relevant international financial institutions and donor countries to disburse promptly the funds pledged at the International Donors Conference on Haiti held in Washington, D.C. on 19 and 20 July 2004;

5. *Requests* the Secretary-General to provide a report to the Council on the implementation by MINUSTAH of its mandate at least every three months;

6. *Decides* to remain seized of the matter.

United Nations S/RES/1577 (2004)

Security Council

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1 December 2004

Resolution 1577 (2004)

Adopted by the Security Council at its 5093rd meeting, on 1 December 2004

The Security Council,

Recalling its resolution 1545 (2004) of 21 May 2004 and the statement of its President dated 15 August 2004 (S/PRST/2004/30),

Reaffirming its strong commitment to the respect of the sovereignty, independence, territorial integrity and unity of Burundi, and *recalling* the importance of the principles of good-neighbourliness and non-interference, and of regional cooperation,

Reaffirming also its full support for the process of the Arusha Peace and Reconciliation Agreement for Burundi, signed at Arusha on 28 August 2000 (hereafter "the Arusha Agreement"), *calling on* all the Burundian parties to fully honour their commitments, and *assuring* them of its determination to support Burundi's efforts successfully to bring the transition to an end through the holding of a free and fair election,

Welcoming the positive achievements that have been made so far by the Burundian sides, including since the deployment of the United Nations Operation in Burundi (ONUB) on 1 June 2004,

Welcoming in particular the agreement signed in Pretoria by the Burundian parties on 6 August 2004, and the subsequent adoption by the Parliament of an interim Constitution, on 20 October 2004, which provides guarantees for all communities to be represented in the post-Transition institutions,

Encouraging all Burundian parties to continue their dialogue in a spirit of compromise, in particular during the campaign to explain the interim Constitution and the drawing up of the electoral code, with a view to a lasting political solution,

Recalling that there is no alternative to the holding of elections as provided for by the Arusha Agreement, and *calling* on the Transitional authorities to carry through the electoral process scheduled to take place until 22 April 2005,

Paying tribute to the efforts made by the States of the Regional Initiative for Burundi, especially Uganda and the United Republic of Tanzania, and the Facilitation, in particular South Africa, to support the peace process in Burundi, and *encouraging* them to continue to accompany the efforts of the Burundian parties,

04-63054 (E)

Encouraging also the international donor community to respond to requests from the Government of Burundi to strengthen its national judicial institutions and rule of law capacity,

Condemning all acts of violence as well as violations of human rights and international humanitarian law,

Reiterating its strong condemnation of the Gatumba massacre and *reaffirming* that perpetrators of such crimes must be brought to justice,

Taking note of the joint report of the ONUB, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the Office of the United Nations High Commissioner for Human Rights, regarding the Gatumba massacre on 13 August 2004 (S/2004/821), and *taking note* also of the statement of the government of Burundi dated 29 October 2004 (S/2004/867) and of its commitment to bring its investigation into the Gatumba massacre to a prompt conclusion, with international support as appropriate,

Taking note of the report of the Secretary-General dated 15 November 2004 (S/2004/902),

Noting that obstacles remain to Burundi's stability, and *determining* that the situation in this country continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the ONUB, as defined in its resolution 1545 (2004), shall be extended until 1 June 2005;

2. *Urges* all the governments and parties concerned in the region to denounce the use of and incitement to violence, to condemn unequivocally violations of human rights and of international humanitarian law, and actively to cooperate with ONUB and MONUC and with efforts of States aimed at ending impunity;

3. *Calls upon* the governments of the Democratic Republic of the Congo and of Rwanda to cooperate unreservedly with the Government of Burundi to ensure that the investigation into the Gatumba massacre is completed and that those responsible are brought to justice;

4. *Requests* ONUB and MONUC to continue to provide their assistance, within their mandate, to the Burundian and Congolese authorities, with a view to facilitating the completion of the investigation into the Gatumba massacre and to strengthening the security of vulnerable populations;

5. *Deeply troubled* by the fact that Mr. Agathon Rwasa's Forces nationales de liberation (Palipehutu-FNL) have claimed responsibility for the Gatumba massacre, *expresses its intention* to consider appropriate measures that might be taken against those individuals who threaten the peace and national reconciliation process in Burundi;

6. *Requests* the Secretary-General to keep it informed on a regular basis of developments in the situation in Burundi, the implementation of the Arusha Agreement, the execution of ONUB's mandate and the action taken by the Burundian authorities following the Council's recommendations in the fight against impunity, and to submit a report on these developments every three months;

7. *Decides* to remain actively seized of the matter.